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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/589,449	06/07/2000	Arda Akman	12096RNUS01U	9103
27820	7590	02/01/2006	EXAMINER	
WITHROW & TERRANOVA, P.L.L.C.			PWU, JEFFREY C	
P.O. BOX 1287			ART UNIT	
CARY, NC 27512			PAPER NUMBER	

2143

DATE MAILED: 02/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/589,449

Applicant(s)

AKMAN, ARDA

Examiner

Jeffrey C. Pwu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 1-10/25/05 Amendment.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-21 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

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DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 17 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 17 is vague and indefinite because it is unclear how does the port, a port having an IP address associated with said first IP network, determine which presented media gateway would be available or how is it being adapted to listen for a service change message.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Munoz et al. (U.S. 6,741,585).

Munoz et al. teach claims:

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1. An apparatus for translating IP addresses within control protocol messages, said control protocol messages originating and terminating in different IP networks, said apparatus comprising:

means for receiving a control protocol message from a node on a first IP network; (“HOST I”, “GATEWAY I”, Fig.3)

means for translating an IP address within said control protocol message from the IP address associated with the first IP network to a second IP address associated with a second IP network, said means for translating the IP address within said control protocol message being positioned in a device within said first IP network; and (col.4, line 35-col.6, line 4)

means for routing the control protocol message to a second node on said second IP network. (“HOST II”, “GATEWAY II”, Fig.3)

2. The apparatus of claim 1 wherein said translation is Network Address Translation (NAT).

3. The apparatus of claim 1 wherein the node on said first IP network is a media gateway and the node on said second IP network is a media gateway controller. (fig.3)

4. The apparatus of claim 1 wherein said control protocol is MEGACO. (col.10, lines 23-61)

5. A firewall apparatus for translating an IP address within control protocol messages exchanged between a media gateway on a first IP network and a media gateway controller on a second IP network, said firewall (router; col.17, lines 1-20) apparatus comprising:

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a port (gateway I) having an IP address associated with said first IP network, said port for receiving a control protocol message from the media gateway intended for the media gateway controller, said control protocol message including an IP address associated with said first IP network;

a Network Address Translator for translating the IP address associated with said first IP network included within said control protocol message to an IP address associated with said second IP network; and

a routing component (router; col.17, lines 1-20) for muting the control protocol message to the media gateway controller. Claim 5 is similarly rejected as in claim 1)

6. The firewall apparatus of claim 5 wherein the control protocol is MEGACO. (col.10, lines 23-61)

7. A method of translating IP addresses within control protocol messages exchanged between a node on a first IP network and a node on a second IP network, said method comprising:

receiving a control protocol message from the node on said second IP network, said control protocol message including an IP address associated with said second IP network;

translating the IP address associated with said second IP network included within said control protocol message to an IP address associated with said first IP network, wherein said translating occurs at a device within said first IP network;

muting (col.15, line 55, "...the media gateway controller (MGC) participate in the IP routing the control protocol message to node of said first IP network) the control protocol message to the node on said first IP network. (Claim 7 is similarly rejected as in claim 1)

8. The method of claim 7 wherein the control protocol is MEGACO. (col.10, lines 23-61)

9. A computer program product for translating IP addresses within control protocol messages exchanged between a node on a first IP network and a node on a second IP network, the computer program product having a medium with a computer program embodied thereon, the computer program product comprising:

computer program code for receiving a control protocol message from the node on said second IP network, said control protocol message including an IP address associated with said second IP network; (also see abstract of Munoz et al.)

computer program code for translating the IP address associated with said second IP network included within said control protocol message to an IP address associated with said first IP network, wherein said translating occurs at a device within said first IP network;

computer program code for routing the control protocol message to the node on said first IP network. Claim 9 is similarly rejected as in claim 1)

10. The computer program product of claim 9 wherein the control protocol is MEGACO.
(col.10, lines 23-61)

11. A system for translating IP addresses within control protocol messages, said control protocol messages originating and terminating in different IP networks, said system comprising:
a firewall (router) for:

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receiving messages from a node on a first IP network; offloading control protocol messages to a server, and routing messages to a node on a second IP network, and

a server (gateway I) positioned within the first IP network behind the firewall (router) for:

receiving control protocol messages from said firewall;

translating IP addresses within said control protocol messages from IP addresses associated with the first IP network to IP addresses associated with the second IP network; and returning the translated control protocol messages to said firewall.

(Claim 11 is similarly rejected as in claim 1)

12. The system of claim 11 wherein the control protocol is MEGACO. (col.10, lines 23-61)

13. A method of translating IP addresses within control protocol messages exchanged between a node on a first IP network and a node on a second IP network comprising:

having a firewall on the first IP network receive a control protocol message from the node on the second IP network;

having the firewall offload the received control protocol message to a server positioned within the first IP network and behind the firewall;

having said server translate IP addresses within said control protocol message from an IP address associated with the second IP network to an IP address associated with the first IP network; and

having said server route the translated control protocol message to a node on said first IP network. (claim 13 is similarly rejected as in claim 1)

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14. The method of claim 13 wherein the control protocol is MEGACO. (col.10, lines 23-61)

15. A computer program product for translating IP addresses within control protocol messages exchanged between a node on a first IP network and a node on a second IP network, the computer program product having a medium with a computer program embodied thereon, the computer program product comprising: (also see fig.11 of Munoz et al.)

computer program code for having a firewall on the first IP network receive a control protocol message from the node on the second IP network;

computer program code for having the & mail offload the received control protocol message to a server positioned within the first IP network and behind the firewall;

computer program code for having said server translate IP addresses within said control protocol message from an IP address associated with the second IP network to an IP address associated with the first IP network; and

computer program code for having said server route the translated control protocol message to the node on said first IP network. (claim 15 is similarly rejected as in claim 1)

16. The computer program product of claim 15 wherein the control protocol is MEGACO. (col.10, lines 23-61)

17. The firewall apparatus of claim 5 wherein said port is adapted to listen for a Service Change message to determine that a previously presented media gateway is becoming available. (col.17, line 23-col.18, line 55)

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18. The firewall apparatus of claim 17 wherein said network address translator is adapted to place an IP address of the previously presented media gateway in a NAT table of IP addresses.

(col.14, lines 43-63; col.15, line 55 – “E.164-to-IP Address Mapping”)

19. The apparatus of claim 1 wherein said device within said first IP network is selected from the group consisting of: a firewall for the first IP network, a router for the first IP network, and a server positioned within the first IP network behind a firewall.

20. The method of claim 7 wherein said translating occurs at a device within said first P network comprises translating in a device selected from the group consisting of: a firewall for the first IP network, a router for the first IP network, and a server positioned behind a firewall for the first IP network. (fig.11, IP router R5, IP router RO, IP-ATM gateway 1, IP-ATM gateway 2)

21. The computer program product of claim 9 wherein said computer program code for translating functions on a device selected from the group consisting of:
a firewall for the first IP network, a router for the first IP network, and a server positioned behind a firewall for the first IP network. (NHRP -Next Hop Resolution Protocol servers)

Response to Arguments

5. Applicant's arguments with respect to claims 1- 21 have been considered but are moot in view of the new ground(s) of rejection.

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey C. Pwu whose telephone number is 571-272-6798.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



1/22/06

JEFFREY PWU
PRIMARY EXAMINER